THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT APPEAL NO.1038 OF 2007

Dated 7th December, 2007

Between:
The Khammam District Cooperative
Central Bank Limited …Appellant

And

TVL Narasimha Rao and
Two others …Respondents

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT APPEAL NO.1038 OF 2007

J U D G M E N T (Per Hon'ble Sri Bilal Nazki, the Acting Chief Justice):

Heard learned counsel for the parties.

This writ appeal has been filed challenging the order dated 30-07-2006 passed by the learned Single Judge in WVMP No.1744 of 2007 in WPMP No.25926 of 2006 in W.P.No.20500 of 2006, whereby the learned Single Judge made the interim order granted on 28-09-2006 absolute and permitted the vacate stay petitioner i.e. respondent No.1 to withdraw half of the amount deposited before the appellate authority under the Payment of Gratuity Act, without furnishing any security.

The appellant/writ petitioner filed the writ petition challenging the order passed by the third respondent, which was confirmed by the second respondent, where both the authorities have held on facts in favour of respondent No.1. In these circumstances, the learned Single Judge made the interim order passed earlier absolute in favour of the appellant subject to payment of half of the amount deposited before the appellate authority to respondent No.1. We do not find any illegality in the order passed by the learned Single Judge. Therefore, this writ appeal is dismissed. No order as to costs.

Bilal Nazki, ACJ

Dated 7th December, 2007

Ramesh Ranganathan,J

vrn